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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,701	03/18/2004	Robert Carvelli	1209-57	7812

7590 12/06/2006

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EXAMINER

TRAN, QUOC DUC

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 12/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/803,701

Applicant(s)

CARVELLI ET AL.

Examiner

Quoc D. Tran

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6-10 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6-10 and 12-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-4, 6, 10 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al (6,931,110) in view of Foster et al (5,315,649).

Consider claims 1 and 10, Bates et al teach a method and system for placing a telephone call from a caller using a prepaid phone card, the method comprising the steps of: connecting a caller with a caller interface having a speech recognition application (col. 4 lines 5-6) wherein said caller initially dials a telephone network access number to connect to said user interface (col. 3 lines 27-29; it should be noted that it is inherent for the caller to dial an access telephone number to reach the computer server 100); identifying said caller based on the origination (i.e., ANI) of said initial telephone call (col. 3 lines 29-37); receiving an input from said caller in the form of a desired call connection (i.e., dial a destination number) (col. 4 lines 34-37); comparing said input from said caller with personal destination associated with the call connection (col. 4 lines 38-39; it should be noted that the user could previous restrict the call to a specific destination number(s) or geographic area); and placing a requested telephone call if said input from said caller matches said personalized prepaid phone card information stored in said database (col. 4 lines 41-45).

Thus, Bates et al identifying the caller by both the origination and the input desired destination. Bates et al, however, failed to suggest of receiving voice input from the caller in the form of a desired call connection and comparing the voiceprint associated with the call connection stored in the database.

Foster et al teach a calling card toll service system and method that enable the caller to speak his/her personalized identifier for a person or destination associated with a telephone number for comparison by the voice recognition subsystem for a match with the stored template of the subscriber. The call is connected if the voice input matched the stored templates (see col. 3 lines 38-45, lines 58-62; col. 4 lines 40-46). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Foster et al into view of Bates et al in order to provide user with more option in making calls as well as providing a more secure calling card process.

Consider claims 3 and 12, Foster et al teach wherein said voiceprint comprises a verbal telephone number identifier previously stored in said database by the caller with respect to said call connection and said step of placing said desired call connection comprises the step of retrieving a telephone number stored in said database if said voice input from said caller matches the telephone number identifier assigned to said telephone number (col. 3 lines 38-68; col. 4 lines 40-46).

Consider claims 4 and 13, Foster et al teach the method further comprising the step of voice prompting said caller to verbally provide said desired connection (col. 4 lines 40-43).

Consider claim 6, Bates et al teach wherein said caller interface identifies said caller based on the origination of said initial telephone call (col. 3 lines 29-40).

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3. Claims 7-9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al (6,931,110) in view of Foster et al (5,315,649) and further in view of Nelson (6,529,593).

Consider claims 7 and 14, Bates et al did not suggest wherein said database is accessible by said caller via the internet for storing and modifying said personalized prepaid phone card information. However, Nelson suggested such (col. 6 lines 52-55). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to utilize the teaching of Nelson of accessing the user account via the Internet in order to provide user with a more friendly user interface for better manage of the account.

Consider claim 8, Nelson teaches the method further comprising the step of providing said caller with an option to purchase additional prepaid time for said phone card via the internet (col. 6 lines 55-57).

Consider claim 9, as discussed above, the combinations teach the method further comprising the step of providing said caller with an option to store a personalized phonebook in said database via the internet, said phonebook containing a plurality of telephone numbers and associated telephone identifiers (col. 3 lines 16-23 of Bates and internet account management of Nelson).

Response to Arguments

4. Applicant's arguments with respect to claims 1, 3-4, 6-10 and 12-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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6. Any response to this action should be mailed to:

Mail Stop ____ (explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents

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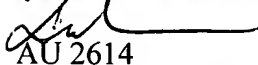
Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on M, T, TH and Friday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QUOCTRAN
PRIMARY EXAMINER


AU 2614

December 1, 2006